

# The Environmental Notice

A Semi-Monthly Bulletin pursuant to Section 343-3, Hawai'i Revised Statutes

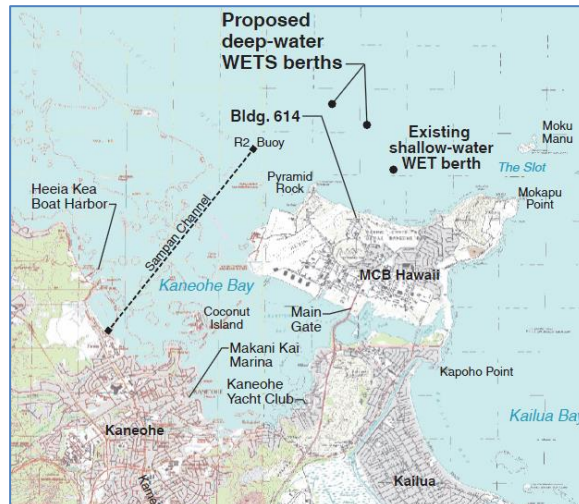
## Wave Energy Test Site at Marine Corps Base Hawai'i

The Navy has been conducting tests of wave energy conversion buoys off Mōkapu Peninsula at the Marine Corps Base, Kāne'ohe Bay, O'ahu since 2003. They are now interested in deploying new buoy designs in the same (approved) project area, but in deeper water further offshore. The project consists of constructing and operating two deep-water "Wave Energy Test Site" WETS berths for testing two offshore wave energy buoys.

The wave energy conversion buoy, commonly known as the WET buoy, has three primary parts:

1) A large buoy/ piston assembly that moves up and down in the waves, 2) An anchor base and power conversion system, and 3) A power cable that transmits the electrical power to shore.

According to the Final Environmental Assessment a key objective of the project is to determine if coastal Department of Defense facilities could obtain supplemental electric power from ocean waves in an efficient, reliable and non-polluting manner. Pursuant to NEPA, a Finding of No Significant Impact for this project was issued on February 7, 2014.



## 2014 Legislative Update

The first crossover deadline was March 6, 2014. For a bill to "crossover" from its originating chamber (the House for HBs and the Senate for SBs) to the other chamber it has to pass through all the committees it was referred to and pass three readings (votes) on the floor of its originating chamber.

OEQC is pleased to report that [HB2308](#), the measure that creates an Environmental Information Office (EIMO) in the Department of Health (DOH) Environmental Health Administration (EHA) has passed the first crossover. Another measure of interest that is moving forward is [SB2274](#) which establishes a permit that exempts sustainable living research and sites from traditional codes and ordinances.

To get a better understanding of the DOH EHA programs, the 2013 EHA Enforcement Report can be found on pages 15-16. This report provides a summary of the inspections and responses conducted by EHA personnel from the latest quarter (October to December 2013) and last year (2013).



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## HAWAI'I (HRS 343)

### 1. Ali'i Drive Shoulder Improvements in the Vicinity of Islander Inn DEA (AFNSI)

**Island:** Hawai'i  
**District:** North Kona  
**TMK:** (3rd) 7-5-008:001 and 003; Right-of-way of Ali'i Drive  
**Permits:** Grubbing and Grading Permits, Permit for Work in County ROW, Special Management Area Permit or Exemption, and Community Noise Control Permit.

#### **Proposing/Determination**

**Agency:** Hawai'i County Department of Public Works,  
101 Pauahi Street, Suite 7, Hilo, HI 96720.  
Contact: Ben Ishii, 808-961-8423.  
**Consultant:** Geometrician Associates, PO Box 396, Hilo, HI 96721.  
Contact: Ron Terry, 808-969-7090 or  
rterry@hawaii.rr.com.

**Status:** Statutory 30-day public review and comment period starts; comments are due by April 7, 2014. Please send comments to the proposing/determination agency and consultant.



The Hawai'i County Department of Public Works proposes shoulder improvements to Ali'i Drive in Kailua-Kona. The project purpose is to widen the mauka shoulder of Ali'i Drive to a consistent five feet along an approximately 350-foot long stretch adjacent to the Kona Islander Inn and the Kona Ali'i Condominium in order to improve pedestrian safety on this busy roadway. Currently, pedestrians walk in an area that provides inadequate separation from the motor vehicle travel lane. In order to widen the shoulder, the project will remove existing low walls and vegetation, grade and pave the new shoulder area, build a new mortared lava rock wall at the mauka edge of the shoulder, and replace signs, utility boxes, crosswalks, etc., that need to be temporarily removed. All coconut trees fronting the Islander Inn will remain, and ornamental palm trees will be replanted fronting the Kona Ali'i building. Construction will involve closure of one lane during daytime construction hours and is expected to last approximately three months. Travel lanes will be repaved but no travel lane widening will occur. Best Management Practices will ensure that construction does not affect water quality in Kailua Bay. The site is completely developed and no significant biological, archaeological or cultural resources are present.

## MAUI (HRS 343)

### 2. Hale Maha'olu 'Ewalu Senior Residential Housing Project DEA (AFNSI)

**Island:** Maui  
**District:** Makawao  
**TMK:** (2)2-3-066:019 and 020  
**Permits:** Construction Permits.  
**Proposing/Determination**  
**Agency:** County of Maui, Department of Housing and Human Concerns, 2200 Main Street, Suite 546, Wailuku, HI 96793.  
Contact: Jo Ann Ridao, 808-270-7805.  
**Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793.  
Contact: Colleen Suyama, 808-244-2015.



**Status:** Statutory 30-day public review and comment period starts; comments are due by April 7, 2014. Please send comments to the proposing/determination agency and consultant.

The Hale Maha'olu Ewalu Senior Residential Housing Project proposes to utilize the existing grade and fill on the project site and construct three (3) two- and three-story apartment buildings containing one- and two-bedroom units for seniors and a three-bedroom unit for a resident manager totaling 61 housing units. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. adult day care center, 83 parking stalls, two (2) loading zones, and landscaping are planned. Previously identified burials, presumed to be of Chinese origin, are located on Parcel 19. The burial site will be kept in situ with a landscaped open space buffer zone separating it from the housing units. The buffer zone will be in accordance with a preservation plan approved by the State Historic Preservation Division (SHPD).

## **MOLOKA'I (HRS 343)**

### **3. Moloka'i High School Science Facility Upgrades FEA (FONSI)**

**Island:** Moloka'i  
**District:** Moloka'i  
**TMK:** 5-2-015:001 (por)  
**Proposing/Determination Agency:** Department of Education, Office of School Facilities and Support Services, Facilities Development Branch, Project Management Section, 1151 Punchbowl Street, Room 431, Honolulu, HI 96813.  
Contact: William George, 808-586-0465.

**Consultant:** Kimura International, 1600 Kapi'olani Boulevard, Suite 1610, Honolulu, HI 96814.  
Contact: Leslie Kurisaki, 808-944-8848.

**Status:** Finding of No Significant Impact Determination.



The State Department of Education (DOE) proposes to construct a building with two science classroom labs at Moloka'i High School. Moloka'i High School is the island's only high school, with an enrollment of 340 students in grades 9 through 12. The project is needed to provide the school with proper science classroom labs meeting Hawai'i State educational standards. Since the separation of Moloka'i High School and Moloka'i Middle School in 2004, the high school has been without laboratory classrooms and instead uses two general purpose classrooms for all science instruction. These classrooms lack basic equipment such as individual lab tables, sinks, gas and water connections. As a result, many lab procedures cannot be conducted or are done at a single demonstration station. In other instances, students must watch virtual lab experiments on their computers, a passive learning method that is less effective than active, hands-on experience.

The project site fronts Farrington Avenue, near the entry to the high school. The rectangular-shaped building will displace an existing movable trailer which houses student support offices. The trailer will be relocated nearby. Each of the two new classroom labs will be approximately 1,730 square feet (SF) in size, with desk seating and eight lab stations located around the periphery of the room. Between the two classrooms, there will be a shared teacher prep room, restroom, and storage spaces. Total building area is approximately 4,500 SF.

An 8' x 8' rainwater harvest tank will be included to the northwest of the new building to support the school's environmental science education and sustainability improvements. A catchment basin next to the building can be used by students as a dry *lo'i* garden. Although not included in this project, a small scale wind turbine may be added in the future as an educational pilot project, to provide a renewable



source of energy for the classroom building. It would be mounted on a tower between 45 and 65 feet high and be located in the vicinity of the rainwater harvest tank.

A portion of TMK parcel 5-2-015:001 is in the State Agricultural District, and about half of the new classroom building will extend into this area. The DOE will request a Land Use Commission District Boundary Change (to Urban), a change in zoning (to P-1, Public/Quasi-Public), and a Community Plan Amendment (to Public/Quasi-Public) from the County of Maui for this area. The intent is to make the land use designations for the entire parcel consistent with its current and future use as a school.

Construction of the new science classroom building is scheduled to begin in late 2014 and be completed in about 12 months.

## O'AHU (HRS 343)

### 4. Coconut Island Infrastructure Rehabilitation and Replacement Project FEA (FONSI)

**Island:** O'ahu  
**District:** Kāne'ohe  
**TMK:** (1)4-6-001:001, 015, 016, 017, 051  
**Permits:** National Pollutant Discharge Elimination System (NPDES) Permit (to be submitted by the contractor for the hydro-testing of the newly installed water line), USACE Section 10 Permit, Special Management Area Use Permit (SMP), Shoreline Setback Variance (SSV) Permit.

#### Proposing/Determination

**Agency:** University of Hawai'i Mānoa, 2500 Campus Road, Hawai'i Hall 307, Honolulu, HI 96822.  
Contact: Stephen Meder, 808-956-8018.

**Consultant:** Community Planning and Engineering, Inc., 1286 Queen Emma Street, Honolulu, HI 96813. Contact: Colette Sakoda, 808-833-2225, ext. 1004.

**Status:** Finding of No Significant Impact Determination.



A Finding of No Significant Impact (FONSI) has been issued for the University of Hawai'i's proposed rehabilitation and replacement of the existing infrastructure at the Hawai'i Institute of Marine Biology (HIMB) on Coconut Island, Kāne'ohe Bay, Hawai'i. The project includes replacing the existing sewer, communications, water, and electricity lines that serve Coconut Island, as well as maintenance/repair items identified as high priority to prevent failure of the existing infrastructures at the facility.

The utility line replacement will be conducted using a Horizontal Directional Drilling (HDD) method, which will allow the utility lines to be buried beneath the bottom of Kāne'ohe Bay rather than lying on the bottom of the bay as they currently exist. This method will minimize impacts to the surrounding marine habitat and resources by eliminating release of sediment during installation. The second work item will involve re-routing the existing sewer line that runs around North Lagoon, which was previously installed to service structures along the northern shoreline of the island. The sewer line will be re-routed and connected to the main sewer line that services the island since these structures no longer exist and because there is no need to continue service to this area of the island. The third item will involve replacement of the pumps at the existing sewer pump station located on the east side of the island in order to support the proposed replacement of the force main. The interior of the wetwell will be coated with epoxy to protect the concrete walls from corrosion. The fourth item will involve removing the existing concrete platform of Lighthouse Pier, and replacing it with a new platform of the same footprint. The existing piles, which are in poor structural condition, will be refurbished prior to replacement of the pier's platform. The proposed project is much needed to prevent future failure and interruption of utility services to the island, and to support HIMB's ongoing as well as future research and educational programs.

5. [‘Iliahi Elementary School New Covered Play Court DEA \(AFNSI\)](#)

**Island:** O‘ahu  
**District:** Wahiawā  
**TMK:** 7-5-027: 002  
**Permits:** Variance from Pollution Controls (Noise Permit);  
Grubbing, Grading, and Stockpiling; Building Permit.

**Proposing/Determination**

**Agency:** Department of Education, Facilities Development  
Branch, 1151 Punchbowl Street, Room 501,  
Honolulu, HI 96813.  
Contact: Benjamin Miura, 808-586-0429.  
**Consultant:** Gerald Park Urban Planner, 95-595 Kanamee Street,  
No. 324, Mililani, HI 96789.  
Contact: Gerald Park, 808-625-9626.  
**Status:** Statutory 30-day public review and comment period starts; comments are due by April 7,  
2014. Please send comments to the proposing/determination agency and consultant.



The Department of Education proposes to construct a covered play court at ‘Iliahi Elementary School. The project will provide a covered facility where students can engage in outdoor play with minimal exposure to potential accidents caused by inclement weather. The structure also will serve as a covered, multi-purpose center for school activities and functions protect from the daily rain.

The single-story structure will be located in an open area on the southwest side of the school. The approximately 7,700 square feet will provide one regulation basketball court, two regulation volleyball courts, and four half-court basketball courts.

The cost of the project is estimated at \$1.2 million. Construction is projected to commence in summer 2014 and should be completed in nine (9) months.

6. [Lee Residence and Seawall Reconstruction DEA \(AFNSI\)](#)

**Island:** O‘ahu  
**District:** Honolulu  
**TMK:** (1)3-5-3: 2 and 3  
**Permits:** Special Management Area Use Permit and  
Shoreline Setback Variance.  
**Applicant:** Kyong-su Im, 1608 Laukahi Street, Honolulu, HI  
96821, 808-258-7877.

**Approving  
Agency:** City and County of Honolulu, Department of  
Planning and Permitting, 650 South King Street,  
Honolulu, HI 96813.  
Contact: Steve Tagawa, 808-768-8024.

**Consultant:** Group 70 International, Inc., 925 Bethel Street, 5<sup>th</sup> Floor, Honolulu, HI 96813.  
Contact: Jeff Overton, 808-523-5866.

**Status:** Statutory 30-day public review and comment period starts; comments are due by April 7,  
2014. Please send comments to the applicant, approving agency and consultant.



The Applicant seeks a Shoreline Setback Variance (SSV) to remove an existing unauthorized seawall and rubble revetment along the 120-foot long makai boundary of the site, and construct a new vertical concrete seawall. The Applicant is working with the State Office of Conservation and Coastal Lands (OCCL) to determine a shoreline that OCCL would be willing to certify after the encroaching portions of the existing shore protection structure are removed.

The Applicant also seeks a Special Management Area Use Permit (SMP) to construct two dwellings and a garage/mechanical building. The two-story dwellings will have about 16,526 square feet and 6,691 square feet of floor area. The garage/mechanical building will have about 3,820 square feet of floor area.

Other improvements within the anticipated 40-foot shoreline setback area are a concrete walkway, integrated seawall stairway, and viewing platform. Fence walls along both the right and left property boundaries will also be the subject of the SSV.

The Department of Planning and Permitting has not issued the Applicant a Notice of Violation for the existing seawall and revetment which predate their acquisition of the site. A Zoning Adjustment for retaining wall height may also be required, as well as grading, stockpiling, and building permits.

**7. O'ahu District Office and Base Yard Canopy Extension and Maintenance Storage Building DEA (AFNSI)**

**Island:** O'ahu

**District:** Honolulu

**TMK:** 1-1-064:026

**Proposing/Determination**

**Agency:** Department of Transportation, Highways Division, O'ahu District, 727 Kako'i Street, Honolulu, HI 96819.

Contact: Charles Lee, 808-831-6792.

**Consultant:** The Limtiaco Consulting Group, 1622 Kananui Street, Honolulu, HI 96817.

Contact: Jason Nakata, 808-596-7790.

**Status:** Statutory 30-day public review and comment period starts; comments are due by April 7, 2014. Please send comments to the proposing/determination agency and consultant.



The State of Hawai'i, Department of Transportation (HDOT) plans construction of two improvements projects at its Kako'i Street district office and base yard. The first is construction of an overhead canopy extension to an existing motor pool building. The second is replacement of an existing storage building with a larger modern storage shed.

The canopy extension will provide cover to a paved area where vehicles awaiting service are frequently parked. Stormwater that falls on the exposed concrete at this location could carry pollutants from automobiles to nearby water bodies. The canopy extension will shelter the covered area from stormwater, mitigating the pollution of runoff.

The storage shed replacement project will replace an existing corrugated metal storage shed with a pre-engineered CMU and metal storage shed. The existing shed is of substandard construction and is not large enough for HDOT's needs. The new storage building will be of higher quality construction and will add almost 1,000 square feet of additional storage space.

**8. Wai'ānae Coast Campus, Leeward Community College FEA (FONSI)**

**Island:** O'ahu

**District:** Mā'ili

**TMK:** (1) 8-7-004:041

**Permits:** Building Permit, Grading Permit.

**Proposing/Determination**

**Agency:** University of Hawai'i, 1960 East-West Road, Biomedical Sciences B-102, Honolulu, HI 96822.  
Contact: Bruce Teramoto, 808-956-4800.





**Consultant:** Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, HI 96826. Contact: Milton Arakawa, 808-946-2277.

**Status:** Finding of No Significant Impact Determination.

Leeward Community College is proposing to relocate its Wai'ānae Coast Campus to a 2.52 acre parcel located at 87-380 Kula'aupuni Street in Mā'ili, O'ahu. The Wai'ānae Coast Campus presently leases approximately 10,000 square feet adjacent to the Wai'ānae Mall. Enrollment at the Wai'ānae Coast Campus has increased 53% over the past 5 years. Classrooms at the existing location are over optimal capacity and overcrowded.

The Kula'aupuni Street parcel contains a vacant one-story building of approximately 38,600 square feet of floor area. The building was constructed as a telecommunications building, but was never used for that purpose and has been vacant for over 10 years. Renovations to the site are proposed in two phases. Phase I is intended to meet existing and near term program needs. Approximately 14,000 square feet of the building would be renovated. Five classrooms, wet lab, math computer lab, computer/English lab, testing center, faculty office spaces, administration area, and 28 parking stalls are proposed. Phase II includes a selective expansion of various credit and non-credit programs. This includes the Learning Resource/Center surrounded by discipline clusters of classrooms, including liberal arts, arts and digital media, culinary arts, nursing, automotive technology, and an additional 71 parking stalls.

## NEPA NOTICE

### Wave Energy Test Site, Marine Corps Base Hawai'i FEA (FONSI)

**Applicable Law:** National Environmental Policy Act (NEPA)

**Type of Document:** FEA

**Islands:** O'ahu

**District:** Ko'olaupoko

**TMK:** N/A

**Permits Required:** Department of the Army, Rivers and Harbors Act Section 10 permit.

**Proposing Agency:** Naval Facilities Engineering and Expeditionary Warfare Center, 1000 23<sup>rd</sup> Avenue, Port Hueneme, CA 93043-4370. Contact: Alexandra De Visser, 805-982-6070.

**Consultant:** Helber Hastert & Fee, 733 Bishop Street, Suite 2590, Honolulu, HI 96813. Contact: Gail Renard, 808-545-2055.

**Status:** The Final EA and FONSI have been completed. A Notice of Availability for the Final EA and FONSI was published in the Honolulu Star-Advertiser on February 21, 22, and 23, 2014. The EA addressing this action may be obtained from: Naval Facilities Engineering Command Pacific, Building 258 Makalapa Drive, Suite 100, JBPHH, HI 96860-3134 (Attn: EV21 WETS EA Project Manager); Telephone 808-472-1450. A limited number of the EA on compact disc is available to fill single-unit requests.



The proposed action will construct and operate two deep-water Wave Energy Test Site (WETS) berths for testing up to two wave energy conversion (WEC) devices in waters approximately 197 ft and 262 ft deep, respectively, located approximately 6,500 ft and 8,200 ft north of Mōkapu Peninsula, Marine Corps Base (MCB) Hawaii, Kāne'ohe Bay, O'ahu, Hawai'i. The proposed action includes installation and operation of mooring systems for each berth, two surface-laid power and communication transmission



cables, associated shoreside equipment, in-water scientific data gathering equipment to measure oceanographic and environmental conditions, and Building 614 renovation. Construction and installation of the berth infrastructure will begin during 2014, with decommissioning of WEC devices planned for 2016.

The purpose of the action is to provide facilities to evaluate the technical and economic feasibility of various wave energy conversion configurations for future U.S. Navy and U.S. Marine Corps applications. It is needed to provide deeper water conditions to test pre-commercial WEC devices with greater power generation potential and to advance the technology to meet Navy and USMC renewable energy goals.

Based on the information gathered during the preparation of this EA, the Navy determined that the proposed action will not significantly impact human health or the environment.

## SECTION 106, NATIONAL HISTORIC PRESERVATION ACT CONSULTATION

**Project Name:** Remedial Investigation (RI) and Remedial Action (RA) for Ka'ena Point Satellite Tracking Station  
**Island:** O'ahu  
**District:** Wai'ānae and North Shore  
**TMKs:** Project within (1) 609-003:005  
**Proposing/ Determination Agency:** United States Air Force (USAF), Kaena Point Satellite Tracking Station, PO Box 868, Waianae, HI 96792. Contact: Lance Hayashi, 808-697-4314.  
**Status:** Comments due no later than March 21, 2014 to: Lance Hayashi, Det 3, 21 SOPS/CE PO Box 868, Wai'ānae, HI 96792-0868. Phone: 808-697-4314.

The US Air Force (USAF), Detachment 3, 21st Space Operations Squadron (Det 3, 21 SOPS) at Ka'ena Point Satellite Tracking Station (KPSTS) proposes to conduct a Remedial Investigation (RI) and Remedial Action (RA) project at 4 sites located on Ka'ena Point Satellite Tracking Station. The project objectives are to determine if there are chemicals of concern (COCs) in surface and/or subsurface soil in concentrations at or above the cleanup levels, as well as to remove surface debris, excavate contaminated soil associated with the former underground storage tank (UST) and investigate the presence or absence of a presumed 500-gallon UST. Further project details can be found in Attachment 1 of the Section 106 Consultation Package.

KPSTS has requested SHPD's concurrence with its conclusion that the proposed undertaking will have "no adverse effect" on Archeological, Native Hawaiian Cultural Resources or Historic Properties.

The Section 106 consultation document will also be available for review at the Waianae Public Library and the Waialua Public Library during the review period ending on March 21, 2014.



Photo Credit: Sabine Giguët

## COASTAL ZONE MANAGEMENT NOTICES

### Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai'i Revised Statutes. This public notice is being provided in accordance with section 306(d)(14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency, please call John Nakagawa with the Hawai'i CZM Program at 587-2878. For neighboring islands, use the following toll free numbers: Lāna'i & Molokai: 468-4644 x72878, Kaua'i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai'i: 974-4000 x72878. For specific information or questions about an action listed below, please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review. Comments may be submitted by mail, electronic mail, or fax as indicated below.

**Mail:** Office of Planning  
Department of Business, Economic Development and Tourism  
PO Box 2359  
Honolulu, HI 96804  
**Email:** [jnakagaw@dbedt.hawaii.gov](mailto:jnakagaw@dbedt.hawaii.gov)  
**Fax:** 808-587-2899

#### Hanalei River Bank Restoration, Hanalei, Kaua'i

**Location:** Hanalei River, upstream of the Hanalei National Wildlife Refuge  
**TMK:** (4) 5-4-2: 34  
**Federal Action:** Federal Permit  
**Federal Agency:** US Army Corps of Engineers, Honolulu District  
**Applicant:** Department of Land and Natural Resources  
**Contact:** Julie Zimmerman, AECOM, 808-356-5392  
**Proposed Action:** Implement riverbank stabilization measures along the Hanalei River where a breach channel resulted from a flood event in November 1995. The scope of work will include: (1) sediment removal downstream of the breach; and (2) riverbank restoration and stabilization. The sediment removal work consists of approximately 400 linear feet (lf) of channel reshaping, sediment removal, installation of stream barbs, 100 lf of riverbank restoration, and revegetation. Three bank spurs would be installed in the Hanalei River to protect the riverbank immediately downstream of the breach and improve sediment transport capabilities through this reach. One rock vane would be installed in the Hanalei River immediately upstream of the breach location to protect the riverbank and the new earthen berm structure. The bank spurs and rock vane would be constructed of large rocks designed to withstand river forces. The riverbank restoration and stabilization work consists of reconstructing the breached riverbank with a permanent earthen berm 154 feet long across the breach that extends 177 feet into the breach channel. Sheet piling and vertical drains would also be used to construct the berm, and native plant ground cover species would be used to restore the berm slopes. The design approach of the project is intended to restore the Hanalei River bank and provide for maintaining pre-breach flows in the main channel of the Hanalei River. The elimination of flows in the breach channel will reduce erosion and sediment loading from the breach channel.  
**CZM Contact:** John Nakagawa, 808-587-2878, [jnakagaw@dbedt.hawaii.gov](mailto:jnakagaw@dbedt.hawaii.gov)  
**Comments Due:** March 24, 2014



Photo Credit: Sabine Giguet

### Special Management Area (SMA) Minor Permits

The SMA Minor permits below have been approved (HRS 205A-30). For more information, contact the County/State Planning Department. Honolulu (768-8014); Hawai'i (East HI 961-8288, West HI 323-4770); Kaua'i (241-4050); Maui (270-7735); Kaka'ako or Kalaeloa Community Development District (587-2841).

Location (TMK)	Description (File No.)	Applicant/Agent
Maui: Lahaina (4-3-002: 031)	Renovations (SM2 20140011)	Jerry Wille
Maui: Paia (2-6-004: 014)	Alterations and Additions (SM2 20140012)	Frampton & Ward, LLC
Maui: Lahaina (4-5-001: 018)	Units 1 & 2 Alteration (SM2 201400013)	Kirk W Hunt
Maui: Kahului (3-7-005: 012)	Reconstruct Parking Area (SM2 20140014)	Wayne Arakaki Engineering LLC
Maui: Kihei (3-9-003: 002)	Trailer Relocation (SM2 20140015)	Yong Su Ko
Maui: Lahaina (4-4-008: 001)	ADA Lift for Space L-01 & L-02 (SM2 20140016)	Robert Hartiman
Maui: Kaunakakai (5-4-017: 030)	Construct New Dwelling (SM6 20140001)	Garald & Nancy Swartz

### SHORELINE NOTICES

#### Shoreline Certification Applications

The shoreline certification applications above are available for review at the DLNR Offices on Kaua'i, Hawai'i, Maui, and Honolulu, 1151 Punchbowl Street, Room 220 (HRS 205A-42 and HAR 13-222-12). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, HI 96813 and postmarked no later than 15 calendar days from the date of the public notice of the application. For more information, call Ian Hirokawa at 587-0420.

File No.	Date	Location	Applicant/Owner	TMK
OA-1574	2/14/14	Lot 11 of Land Court Consolidation 211 situate at Kaunala, Koolauloa, Oahu Address: 58-169 Napoonala Place Purpose: Building permit purposes	Hawaii Land Consultants/ Malakelo LLC	5-8-006:041
OA-1575	2/25/14	Lot 33 "Wai'alaie Beach Lots, Section C" Bishop Estate Map 2713 situate at Wai'alaie Iki, Honolulu, Oahu Address: 5017 Kalaniana'ole Highway Purpose: Setback determination	Ailana Surveying & Geomatics/ Joshua Adams	3-5-022:004
MA-570	2/14/14	Lots 12, 14, 15 and 16 of Land Court Application 1602 as shown on Map 2 being a portion of Royal Patents 4476 and 6983 Mahele Award 3 to A. Keohokalole situate at Hamoa, between Mokae and Hanaoa, Hana, Maui Address: Hanaoa Road Purpose: Building setback and permitting purposes	Newcomer-Lee Land Surveyors, Inc./ Hamoa Point Homestead LLC	1-4-008:007, 023, 031 & 042

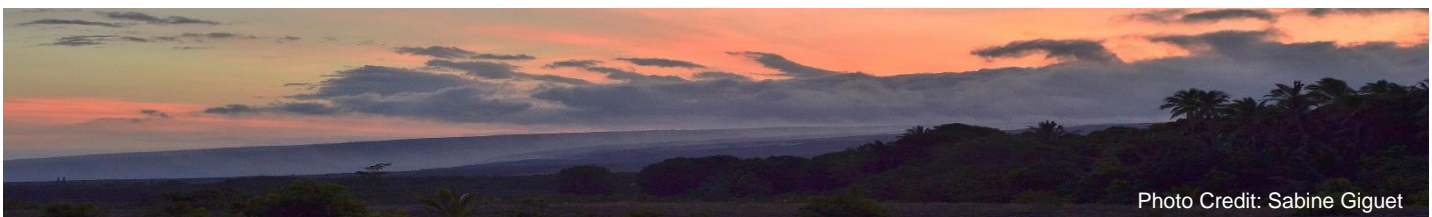


Photo Credit: Sabine Giguët



### Shoreline Certification and Rejections

The shoreline notices below have been proposed for certification or rejection by DLNR (HRS 205A-42 and HAR 13-222-26). Any person or agency who wants to appeal shall file a notice of appeal in writing with DLNR no later than 20 calendar days from the date of this public notice. Send the appeal to the Board of Land and Natural Resource, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813.

File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1543	Proposed Shoreline Certification	Lots A-1 and A-2-A of Land Court Application 505 and Lot 1-A of Land Court Application 616 situate at Kailua, Ko'olaupoko, O'ahu. Address: 1226 Mokulua Drive. Purpose: Permitting purposes	Towill, Shigeoka & Associates, Inc./ James H. Duncan	4-3-005:056
OA-1563	Proposed Shoreline Certification	Lot 89 (Map 5) of Land Court Application 1052 situate at Makaha, Wai'ānae, O'ahu. Address: 84-749 Moua Street. Purpose: Setback purpose	Austin, Tsutsumi & Associates, Inc./ James D. & Christine M. Cote	8-4-006:010
MA-569	Proposed Shoreline Certification	Kahului Wastewater Reclamation Facility Lot being a portion of Grant 3343 to Claus Spreckels situate at Kahului, Wailuku, Maui. Address: Amala Place Purpose: Determine shoreline setback	R.T. Tanaka Engineers, Inc./ County of Maui	3-8-001:188
OA-1536	Rejection	Lot 14-C of the Kahala Subdivision situate at Kahala, Honolulu, O'ahu Address: 4523 Kahala Avenue Purpose: Setback purpose	Austin, Tsutsumi & Associates, Inc./ Konami Real Estate, Inc.	3-5-004:009
OA-1537	Rejection	Lot 1 of the Kualoa Beach Lots situate at Kualoa, Ko'olaupoko, O'ahu Address: 49-829 Kamehameha Highway Purpose: Building permits	Hawaii Land Consultants/ Kualoa Ranch Inc.	4-9-007:023
OA-1538	Rejection	Lot 13 of the Kualoa Beach Lots situate at Kualoa, Ko'olaupoko, O'ahu Address: 49-743 Kamehameha Highway Purpose: Removal of structure	Hawaii Land Consultants/ Kualoa Ranch Inc.	4-9-007:007
OA-1539	Rejection	Portions of Grant 5677 to Cecil Brown, Grant 4674 to John D. Holt Jr. and Land Patent 8165, Part B, Land Commission Award 8559-B, Apana 32 to Wm. Lunalilo situate at Ka'alawai, Kapāhulu, Honolulu, O'ahu. Address: 4031 A Kulamanu Street. Purpose: Obtain building permit	Wesley T. Tengan/ Judith Pyle	3-1-040:004
KA-377	Rejection	Lot 9 of Waipouli Beach Lots being a portion of R.P. 7373, L.C. Aw. 8559-B, A.P. 42 to William C. Lunalilo situate at Waipouli, Kawaihau, Kaua'i Address: 976 Niulani Street Purpose: Repair sea wall	Honua Engineering, Inc./ Stephanie L. Skow, Katherine L. Skow and Matthew O. Nelson	4-3-009:001



Photo Credit: Sabine Giguet

## CONSERVATION DISTRICT USE APPLICATION

Persons interested in commenting on the following Conservation District Use Application or interested in receiving notification of determinations on Conservation District Use Applications must submit comments and requests to the Department of Land and Natural Resources. Notification requests must include the following information: 1) Name and address of the requestor; 2) The application for which the requestor would like to receive notice of determination; and 3) The date the notice was initially published in the Environmental Notice. Send comments and requests to: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, PO Box 621, Honolulu, HI, 96809. DLNR will make every effort to notify those interested in the subject CDUAs. However, DLNR is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact the Office of Conservation and Coastal Land's staff listed for each project.

### **PROJECT:**

**File No.:** CDUA OA-3692  
**Name of Applicant:** Aina Nui Corporation  
**Location:** Kapolei, 'Ewa District, Island of O'ahu  
**TMK:** (1) 9-1-014:002 and Submerged lands  
**Proposed Action:** Western Kapolei Drainage Outfall Improvements  
**343, HRS determination:** FEA-FONSI; Published May 8, 2012  
**Applicant's Contact:** Jared Chang, 808-356-1242  
**OCCL Staff Contact:** Alex Roy, 808-587-0316

### **PROJECT:**

**File No.:** CDUA OA-3699  
**Name of Applicant:** Hawaiian Electric Company, Inc.  
**Location:** Moanalua, Honolulu District, Island of O'ahu  
**TMK:** (1) 1-1-013:001, 004 and (1) 1-1-012:015  
**Proposed Action:** Tripler Microwave Station Improvements and Repair  
**343, HRS determination:** EXEMPT  
**Applicant's Contact:** Rouen Liu, 808-543-7245  
**OCCL Staff Contact:** Alex Roy, 808-587-0316

### **PROJECT:**

**File No.:** CDUA HA-3700  
**Name of Applicant:** State of Hawai'i Department of Transportation  
**Location:** Māmalahoa Highway, Ka'ū District, Island of Hawai'i  
**TMKs:** (3) 9-5-016:006, 022, 025 and 026  
**Proposed Action:** Māmalahoa Highway Drainage Improvements  
**343, HRS Determination:** FEA-FONSI; Published August 8, 2014  
**Applicant's Contact:** Ron Terry, 808-969-7090  
**OCCL Staff Contact:** Alex Roy, 808-587-0316

### **PROJECT:**

**File No.:** CDUA OA-3701  
**Name of Applicant:** Honolulu Board of Water Supply (BWS)  
**Location:** Kamaile Wells, Wai'ānae District, Island of O'ahu  
**TMKs:** (1) 8-5-002:016  
**Proposed Action:** Existing BWS Facility Improvements  
**343, HRS Determination:** Exempt  
**Applicant's Contact:** Bruce Tsuchida, 808-536-6999 x3  
**OCCL Staff Contact:** Alex Roy, 808-587-0316

**PROJECT:**

<b>File No.:</b>	CDUA MA-3708
<b>Name of Applicant:</b>	State of Hawai'i-Department of Transportation-Highways
<b>Location:</b>	Olowalu, Maui
<b>TMK:</b>	(2) 4-8-003:006 portion and adjacent submerged land
<b>Proposed Action:</b>	Shoreline Erosion Control Boulder Revetment
<b>343, HRS determination:</b>	FONSI published in the July 23, 2010 Environmental Notice
<b>Applicant's Contact:</b>	Richard Sato, Sato & Associates, Inc., 808-955-4441
<b>OCCL Staff Contact:</b>	Tiger Mills, 808-587-0382



Photo Credit: Sabine Giguet



**DEPARTMENT OF HEALTH NOTICES**

The table below shows a tally of the number of inspections and responses conducted by the DOH Environmental Health Administration from the October to December 2013 quarter. The following table provides the same information for the 2013 calendar year (January to December 2013). Formal and informal enforcement actions and the settlements that arise out of those actions are also accounted for in the tables. Inspections and enforcement actions are split by program areas. For more information, please contact the DOH Environmental Planning Office at 586-4337.

**DRAFT Environmental Health Administration (EHA) Enforcement Report, October-December 2013**

	Complaints 1	Field Inspections 2	Warning Notices 3	Field Citations 4	Enforcement Cases Issued 5	Formal Cases Pending 6	Penalties Sought	Formal Cases Resolved 7	Penalty Results 8 (optional fields)		Days to Resolve Formal Cases: Range/Average (optional field)	Number of Active S.E.P.s	Funds Outstanding	Funds Received
	Informal	Informal	Informal	Formal	Formal	Running Total	Formal	Formal	\$ = cash amount	S.E.P.s \$ = cash amount 9		Running Total	Running Total	Oct-Dec 13 Q.
Clean Air Branch														
CAB TOTAL	541	647	30	0	1	9	\$18,700	2	\$4,800	\$0	0	0	\$76,900	\$19,300
Solid & Hazardous Waste Branch														
SHWB TOTAL	196	135	51	1	2	24	\$61,200	47	\$4,250	\$0	0	1	\$290,935	\$9,700
Clean Water Branch														
CWB TOTAL	83	14	6	0	0	0	\$0	0	\$0	\$0	0	2	\$0	\$0
Wastewater Branch														
WWB TOTAL	40	84	4	14	1	1	8,400	1	\$1,500	\$0	0	1	\$32,475	\$3,500
Safe Drinking Water Branch														
SDWB TOTAL	7	2	6	0	0	0	\$0	0	\$0	\$0	0	0	\$0	\$0
Hazard Evaluation & Emergency Response														
HEER TOTAL	7	2	6	0	0	0	\$0	0	\$0	\$0	0	0	\$0	\$0
Indoor & Radiological Health Branch														
IRHB TOTAL	218	161	29	2	2	6	\$13,000	2	\$15,000	\$0	0	0	\$0	\$15,000
Sanitation Branch														
SAN Total	1,329	4,678	10	3,538	2	0	\$90,000	0	\$0	\$0	0	0	\$0	\$0
TOTAL	2,421	5,723	142	3,555	8	40	\$191,300	52	\$25,550	\$0	\$0	4	\$400,310	\$47,500

**DRAFT - EHA Enforcement Report for Jan - Dec 2013 (Calendar Year 2013 - CY13)**

	Complaints 1	Field Inspections 2	Warning Notices 3	Field Citations 4	Enforcement Cases Issued 5	Formal Cases Pending	Penalties Sought	Formal Cases Resolved 6	Number of Active S.E.P.s 7	Funds Outstanding	Funds Received 8
	Informal	Informal	Informal	CY 2013	CY 2013	Running Total (data from most recent quarter)	CY 2013	CY 2013	Running Total (data from most recent quarter)	Running Total (data from most recent quarter)	CY 2013
Clean Air Branch											
CAB TOTAL	1,240	1,759	116	5	16	9	\$55,500	15	0	\$76,900	\$169,700
Solid & Hazardous Waste Branch											
SHWB TOTAL	3,345	819	159	23	12	24	\$422,990	326	1	\$290,935	\$464,050
Clean Water Branch											
CWB TOTAL	250	109	15	1	1	0	\$50,586	0	2	\$0	\$200,000
Wastewater Branch											
WWB TOTAL	168	362	47	41	3	1	\$22,500	2	1	\$32,475	\$11,850
Safe Drinking Water Branch											
SDWB TOTAL	1,097	23	17	0	0	0	\$0	0	0	\$0	\$0
CWB, WWB & SDWB Total	1,515	494	79	42	4	1	\$73,086	2	3	\$32,475	\$211,850
EMD Total	6,100	3,072	354	70	32	34	\$551,576	343	4	\$400,310	\$845,600
Hazard Evaluation & Emergency Response											
HEER TOTAL	7	12	38	2	0	0	\$0	0	0	\$0	\$0
Indoor & Radiological Health Branch											
IRHB TOTAL	656	769	109	2	7	6	\$50,000	5	0	\$0	\$28,633
Sanitation Branch											
SAN TOTAL	3,875	14,321	73	11,966	2	0	\$90,000	0	0	\$0	\$1,000,000
EHSD TOTAL	4,531	15,090	182	11,968	9	6	\$140,000	5	0	\$0	\$1,028,633
EHA TOTAL	10,638	18,174	574	12,040	41	40	\$691,576	348	4	\$400,310	\$1,874,233
EPA Delegated TOTAL*	6,763	3,853	501	74	39	40	\$601,576	348	4	\$400,310	\$874,233



Photo Credit: Sabine Giguet

## FEDERAL NOTICES

1. [EPA Grants Petition \(Partially\) Objecting a State Operating Permit for Hu Honua Bioenergy Facility](#) - February 26, 2014

Pursuant to Clean Air Act (CAA), the EPA Administrator signed an Order, dated February 7, 2014, partially granting and partially denying a petition to object to a CAA title V operating permit proposed by the Clean Air Branch, Environmental Management Division, Hawai'i Department of Health (HDOH) for the Hu Honua Bioenergy Facility, LLC (Hu Honua) in Pepe'ekeo, Hawaii.

The Order explains EPA's rationale for partially granting and partially denying the petition. For the Issues that EPA denied, the Order constitutes a final action on the petition submitted by the Law Office of Marc Chytilo, on behalf of Preserve Pepe'ekeo Health & Environment (Petitioner), on August 26, 2011. Pursuant to section 505(b)(2) of the CAA, a petitioner may seek judicial review in the United States Court of Appeals for the appropriate circuit of those portions of the petition which EPA denied. Any petition for review shall be filed within 60 days from the date this notice appears in the Federal Register (February 26, 2014) pursuant to section 307 of the CAA. CONTACT: Gerardo Rios, Air Permits Office, EPA Region 9, at (415) 972-3974 or [rios.gerardo@epa.gov](mailto:rios.gerardo@epa.gov).

2. [Tsunami Vessel Evacuation Area Established In Southern O'ahu Waters](#) – February 28, 2014

The Coast Guard is establishing a permanent regulated navigation area (RNA) in the waters off Southern O'ahu, Hawaii, enforcement of which will take place only when a tsunami warning is issued for the Hawaiian Islands by the Pacific Tsunami Warning Center. Tsunami warnings require the evacuation of a large number of vessels from their respective harbors. Following the evacuation, these vessels must remain offshore until the emergency situation has passed and the harbors have been deemed safe for reentry. Past tsunami warnings have created potentially dangerous offshore traffic congestion between commercial and recreational vessel traffic. Because of this, designated vessel traffic staging areas are necessary for a safe and orderly evacuation of Southern O'ahu ports. This rule is effective March 31, 2014.

3. [Public Comment Period Open for Endangered Species Recovery Permit Applications](#) – March 4, 2012

The U.S. Fish and Wildlife Service, invite the public to comment on the following applications for interstate commerce permits and recovery permits to conduct activities with the purpose of enhancing the survival of endangered species. The Endangered Species Act of 1973, as amended (Act), prohibits certain activities with endangered species unless a Federal permit allows such activity. The Act also requires that we invite public comment before issuing such permits. To ensure consideration, please send your written comments by April 3, 2014 to: Program Manager for Restoration and Endangered Species Classification, Ecological Services, U.S. Fish and Wildlife Service, Pacific Regional Office, 911 NE. 11th Avenue, Portland, OR 97232-4181. Please refer to the permit number for the application when submitting comments. CONTACT: Colleen Henson, Fish and Wildlife Biologist, at the above address or by telephone (503-231-6131) or fax (503-231-6243)

Permit Number: TE-826600. Applicant: Michael G. Hadfield, Honolulu, Hawai'i

The applicant requests a renewal of a recovery permit to take (capture, measure, mark, attach radio transmitters, collect tissue samples, release, remove from the wild, transport, and captive breed) O'ahu tree snails (*Achatinella* spp.) in conjunction with gathering ecological and life history data, and re-establishing wild populations in Hawai'i for the purpose of enhancing the species' survival.

Permit Number: TE-28360B. Applicant: Institute of Pacific Islands Forestry, U.S. Forest Service, Hilo, Hawai'i.

The applicant requests a new recovery permit to remove and reduce to possession (collection of pollen, fruits, seeds, and/or cuttings; conduct pollination trials; and plant propagation) *Haplostachys haplostachya* (honohono), *Portulaca sclerocarpa* (po'e), *Silene lanceolata* (lance-leaf catchfly), *Spermolepis hawaiiensis* (Hawaiian parsley), *Stenogyne angustifolia* (creeping mint), and *Tetramolopium arenarium* ssp. *arenarium* (Maui tetramolopium) for the purpose of enhancing the species' survival.



## GLOSSARY

### **Agency Actions**

Any department, office, board, or commission of the state or county government which is part of the executive branch of that government per [HRS 343-2](#).

### **Applicant Actions**

Any person who, pursuant to statute, ordinance, or rule, requests approval for a proposed action per [HRS 343-2](#).

### **Draft Environmental Assessment**

When an Agency or Applicant proposes an action that [triggers](#) HRS 343, an Environmental Assessment shall be prepared at the earliest practicable time to determine whether an environmental impact statement shall be required per [HRS 343-5\(b\)](#), for Agency actions and [HRS 343-5\(c\)](#), for Applicant actions. For actions for which the agency anticipates a Finding of No Significant Impact (AFNSI), a Draft EA (DEA) shall be made available for public review and comment for 30 days and public notice is published in this periodic bulletin

### **Final Environmental Assessment and Finding of No Significant Impact**

The Agency shall respond in writing to comments on a DEA received during the review and prepare a Final EA (FEA) to determine whether an environmental impact statement shall be required. The FEA must respond to all public comments. If there are no significant impacts, then the Agency will issue a Finding of No Significant Impact (FONSI). An Environmental Impact Statement will not be required and the project may then be implemented. The public has 30 days from the notice of a FONSI in this bulletin to ask a court to require the preparation of an EIS.

### **Final Environmental Assessment and Environmental Impact Statement Preparation Notice**

An EIS shall be required if the Agency finds that the proposed action may have a significant effect on the environment. The Agency shall file notice of such determination with OEQC, called an EIS Preparation Notice (EISPN) along with the supporting Final EA. After the notice of the FEA-EISPN is published in this bulletin, the public has 30 days to request to become a consulted party and make written comments. The public (including the Applicant) has 60 days from the notice of the EISPN in this bulletin to ask a court to not require the preparation of an EIS.

### **Act 172-2012, Environmental Impact Statement Preparation Notice (with no EA)**

Act 172-2012, amended HRS 343, by providing for an agency to bypass the preparation of an environmental assessment for various actions that in the experience of the agency would clearly require the preparation of an EIS. Until administrative rules have been drafted, the agency must submit is

determination that an EIS is required for an action (Act 172-2012, EISPN) with a completed OEQC publication form detailing the specifics of the action to enable the public to request for a period of thirty-days, to be consulted parties in the preparation of the Draft EIS. Comments and responses must be incorporated into the subsequent Draft EIS.

### **Draft Environmental Impact Statement**

After receiving the comments on the EISPN, the Agency or Applicant must prepare a Draft Environmental Impact Statement (DEIS). The [content requirements](#) of the DEIS shall contain an explanation of the environmental consequences of the proposed action including the direct, indirect and cumulative impacts and their mitigative measures. The public has 45 days from the first publication date in this bulletin to comment on a DEIS. The DEIS must respond to comments received during the EISPN comment period in a point-by-point manner.

### **Final Environmental Impact Statement**

After considering all public comments filed during the DEIS stage, the Agency or Applicant must prepare a [Final EIS](#) (FEIS). The FEIS must respond in a point-by-point manner to all comments from the draft and must be included in the FEIS. See here for [style](#) concerns. For Applicant projects, the Approving Agency is authorized to accept the FEIS and must do so within 30-days or the FEIS is accepted as a matter of law. For an Agency project, the Governor or the Mayor (or their designated representative) is the Accepting Authority, and unlike applicant actions, there is no time limit on the accepting authority reviewing the FEIS. Only after the FEIS is accepted may the project be implemented.

### **Acceptability**

If the FEIS is [accepted](#), notice of this action is published in this bulletin. The public has 60 days from the date of notice of acceptance to ask a court to vacate the acceptance of a FEIS. For Applicant actions, non-acceptance by the Approving Agency is cause for the Applicant to administratively appeal to the Environmental Council. For Agency actions, there is no such administrative appeal. In both instances, the Applicant or the proposing Agency can prepare a revised DEIS after a nonacceptance determination.

### **National Environmental Policy Act**

The National Environmental Policy Act (NEPA) requires federal projects to prepare an EA or EIS. In many ways it is similar to Hawaii's law. Some projects require both a State and Federal EIS and the public comment procedure should be [coordinated](#). OEQC publishes NEPA notices in this bulletin to help keep the public informed of important federal actions.

### **Conservation District**

Any use of land in the State Conservation District requires a Conservation District Use Application

(CDUA). These applications are reviewed and approved by the Board of Land and Natural Resources. Members of the public may intervene in the permit process. Notices of permit applications are published in this bulletin.

### **Special Management Area and Shoreline Setback Area**

The Special Management Area (SMA) is along the coastline of all islands and development in this area is generally regulated by [HRS 205A](#), and county ordinance. A special subset of the SMA that is regulated by HRS 343, is the [Shoreline Setback Area](#). Most development in this area requires a Special Management Permit. This bulletin posts notice of these SMA applications to encourage public input.

### **Shoreline Certifications**

State law requires that Hawai'i shorelines be surveyed and certified when necessary to clearly establish the shoreline setback from the certified shoreline. The public may participate in the process to help assure accurate regulatory boundaries. Private land owners often petition to have their shoreline certified by the State surveyor prior to construction. This bulletin publishes notice from the Department of Land and Natural Resources of shoreline certification applicants and final certifications or rejections.

### **Environmental Council**

The [Environmental Council](#) is a 15-member citizen board appointed by the Governor. They serve as a liaison between the Director of OEQC and the general public concerning ecology and environmental quality. The Council makes the rules that govern the Environmental Impact Statement process (HRS 343). [Agendas](#) of their regular meetings are posted on the Internet and the public is invited to attend.

### **Exemption Lists**

Government agencies must keep a list describing the minor activities they regularly perform that are [exempt](#) from the environmental review process. These lists and any amendments shall be submitted to the Council for review and concurrence ([HAR 11-200-8\(d\)](#)). This bulletin will publish an agency's draft exemption list for public comment prior to Council decision making, as well as notice of the Council's decision on the list.

### **Endangered Species**

This bulletin is required by [HRS 343-3\(c\)](#), to publish notice of public comment periods or public hearings for Habitat Conservation Plans (HCP), Safe Harbor Agreements (SHA), or Incidental Take Licenses (ITL) under the federal Endangered Species Act, as well as availability for public inspection of a proposed HCP or SHA, or a proposed ITL (as a part of an HCP or SHA).